

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
NORTHERN DIVISION**

JEFFREY F. and DONNA LAWRENCE *
Plaintiffs * CIVIL ACTION
v. * NO. RDB-02-CV-3224
THE "IMAGINE...!" YACHT, LLC, et al. *
*
Defendants *
*

THE "IMAGINE...!" YACHT, LLC, et al. *
Third-Party Plaintiffs *
v. *
SHER & BLACKWELL, LLP *
Third-Party Defendant *
* * *

OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO FILE SURREPLY

Defendant, Latitude 38, LLC d/b/a Annapolis Bay Charters, by its
counsel, David W. Skeen and Wright, Constable & Skeen, LLP opposes
Plaintiff's Motion for Leave to File Surreply in opposition to Defendant
Latitude's Motion for Summary Judgment and for reasons therefore states as
follows:

1. Plaintiff requests leave to file a surreply to "clarify the record" and "respond" to allegedly "inaccurate arguments" of defendant, Latitude 38°, with respect to "control" over the crew and operation of schooner "IMAGINE".

2. As is apparent from plaintiffs' Memorandum in support of its Motion, however, plaintiffs are simply requesting another opportunity to rehash the arguments previously made.

3. Plaintiffs' Motion to File Surreply should be denied, however, in the interest of moving things along, defendant, Latitude 38°, responds to plaintiffs' old arguments and one new case citation in its memorandum filed herewith.

/s/
David W. Skeen

/s/
Wright, Constable & Skeen, L.L.P.
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Attorneys for Defendant and
Third-Party Plaintiff,
Latitude 38° LLC

CERTIFICATE OF MAILING

I HEREBY CERTIFY that on this 23rd day April, 2004, copies of defendant, Latitude 38° LLC's Opposition to Plaintiff's Motion for Leave to File Surreply, was served via e-filing and/or mailed, first class, postage prepaid to Murray I. Resnick, Esq. and Prabir Chakrabarty, Esq., Resnick & Abraham, L.L.C., One East Franklin Street, Baltimore, Maryland 21202, Attorneys for Plaintiffs; Robert H. Bouse, Jr., Esq., 201 N. Charles Street, Suite 2000, Baltimore, Maryland 21201-4102, Attorney for defendant, The "Imagine...!" Yacht, LLC., and Eric N. Stravitz, Esq., 2015 R Street, NW, Suite 300, Washington, D.C. 20009, Attorney for Third-Party Defendant, Sher & Blackwell.

/s/
David W. Skeen #01084